

REMARKS

Claims 1-5, 8, 9 and 11-14 are pending in the application. Claim 11 has been amended. Claim 14 is newly added. Reconsideration of this application is respectfully requested.

It is noted with appreciation that the Office Action has allowed claims 1-5, 8 and 9.

The Office Action rejects claims 11-13 under 35 U.S.C. 102(b) as anticipated by U.S. Patent No. 5,460,200 to Glicksman, hereafter Glicksman.

Applicant appreciates the Examiner participating in a telephone conference with Applicant's attorney on February 21, 2007. The Agenda for the teleconference is set forth in Exhibit A hereto. The Examiner noted that the proposed amendment to independent claim 11 (topic 1 of the Agenda) would avoid Glicksman, but would require further consideration and search.

Independent claim 11 has been amended according to topic 1 of the teleconference by changing "means holding the said wall members spaced apart" to "a support that holds the said wall members spaced apart". It is submitted that amended independent claim 11 is distinguished from Glicksman who has no "support that holds". The Examiner in the final Office Action had read the "means for holding" on the "material" of Glicksman's wall members. As argued during the teleconference, the "material" of Glicksman's wall members does not constitute a "support that holds". Therefore, amended independent claim 11 is not anticipated by Glicksman.

For the reason set forth above, it is submitted that the rejection of claims 11-13 under 35 U.S.C. 102(b) as anticipated by Glicksman is obviated by the amendment and should be withdrawn.

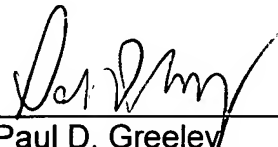
Newly presented claim 14 depends from amended independent claim 11 and recites that "a radius of said tubular housing is smaller at a downstream end thereof than at said upstream end". Glicksman's neck portion 16 does not match the geometry of the tubular housing recited in new claim 14. Accordingly, it is submitted that claim 14 distinguishes from the cited art and is, therefore, allowable.

Noting that claims 1-5, 8 and 9 are allowed, it is respectfully requested for the reasons set forth above that the rejection under 35 U.S.C. 102(b) be withdrawn, that claims 11-14 also be allowed and that this application be passed to issue.

Respectfully Submitted,

Date: _____

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EXHIBIT A

To Amendment in Response to Final Office Action Dated November
14, 2006



AGENDA FOR INTERVIEW WITH EXAMINER

FEBRUARY 21, 2007

First topic:

Amend claim 11 by changing "means for holding" to "a support that holds".

Second topic:

Add a new dependent claim:

14. (New) A non-return device according to claim 11, wherein a radius of said tubular housing is smaller at a downstream end thereof than at said upstream end.